

## SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

### PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

#### Subpart 1.0—Organization and General Flow of Functions

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AUTHORITY: 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 49 CFR 1.45, 1.46; §1.01-35 also issued under the authority of 44 U.S.C. 3507.

SOURCE: CGD 88-033, 54 FR 50376, Dec. 6, 1989, unless otherwise noted.

#### Subpart 1.01—Organization and General Flow of Functions

##### §1.01-05 Definitions of terms used in this part.

(a) The term *Commandant* means the Commandant of the Coast Guard.

(b) The term *District Commander* means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within a district.

##### §1.01-10 Organization.

(a) The Commandant is the head of the agency and exercises overall direc-

tion over the policy and administration of the Coast Guard.

(b) To carry out the regulatory and enforcement aspects of marine safety, the staff officers designated in this paragraph are assigned to the Commandant. The chain of military command is from the Commandant directly to the District Commanders. The staff officers at Headquarters act only on the basis of the Commandant's authority and direction.

(1) The Assistant Commandant for Marine Safety and Environmental Protection under the general direction of the Commandant, directs, supervises and coordinates the activities of the Standards Directorate, consisting of the Office of Design and Engineering Standards, the Office of Operating and Environmental Standards, and the Office of Standards Evaluation and Development; the Field Activities Directorate, consisting of the Office of Compliance, the Office of Response, and the Office of Investigations and Analysis; and the Resource Management Directorate, consisting of the Office of Planning and Resources and the Office of Information Resources. The Port Safety and Security programs administered by the Chief, Office of Compliance and the Marine Environmental Response programs administered by the Chief, Office of Response are guided by regulations contained in 33 CFR chapter I. The Assistant Commandant for Marine Safety and Environmental Protection exercises technical control over the Commanding Officer, National Maritime Center and, through the District Commander, supervises the administration of the Marine Safety Division of District Offices and Officers in Charge, Marine Inspection.

(i) The Director of Standards (G-MS), under the general direction and supervision of the Assistant Commandant for Marine Safety and Environmental Protection establishes federal policies for development of marine safety and environmental protection treaties, laws, and regulations; develops safety, security and environmental protection standards for the maritime industry;

integrates all marine safety and environmental protection regulatory programs; prepares legislation, regulations, and industry guidance for new safety and environmental protection programs; and maintains an active program for development of third party consensus industry standards.

(A) The Chief, Office of Design and Engineering Standards (G-MSE), at Headquarters, under the direction of the Assistant Commandant for Marine Safety and Environmental Protection and the Director of Standards, manages the program for defining the overall regulatory approach for vessels, offshore structures, and other marine systems incorporating safety considerations regarding the role of the human element; develops policies and regulations on load line matters and supervises classification societies authorized to assign load lines on behalf of the Coast Guard; oversees the development and maintenance of programs that incorporate risk-based methods in making safety determinations and policies; and oversees technical research and development for safety and environmental protection associated with marine vessels, structures and facilities.

(B) The Chief, Office of Operating and Environmental Standards (G-MSO), at Headquarters, under the direction of the Assistant Commandant for Marine Safety and Environmental Protection and the Director of Standards, coordinates and integrates program standards for personnel qualification, vessel manning, vessel and facility operations, cargo systems and handling, and environmental protection; develops and maintains standards, regulations and industry guidance for maritime industry operations to prevent deaths, injuries, property damage, and environmental harm; develops and maintains safety standards and regulations for commercial fishing industry vessels and uninspected commercial vessels; and develops and maintains health and safety standards and regulations for U.S. inspected vessels.

(C) The Chief, Office of Standards Evaluation and Development (G-MSR), at Headquarters, under the Direction of the Assistant Commandant for Marine Safety and Environmental Protection and the Director of Standards, coordi-

nates the development of new standards and programs across all technical and operational areas of marine safety and environmental protection; provides comprehensive analytical support for all standards assessment and development efforts; and coordinates development of measures of effectiveness for assessing regulatory programs and consensus standards.

(ii) The Director of Field Activities (G-MO), under the general direction and supervision of the Assistant Commandant for Marine Safety and Environmental Protection, acts as Program Manager for the Marine Safety and Marine Environmental Protection Programs; directs, coordinates, and integrates the Coast Guard's marine safety and environmental protection compliance programs, contingency planning, response operations, and investigations programs; establishes and coordinates field implementation policies and priorities for all marine safety commands and units; serves as the focal point for field support and technical guidance; and provides oversight of marine documentation and marine personnel administration matters.

(A) The Chief, Office of Compliance (G-MOC), at Headquarters, under the direction of the Assistant Commandant for Marine Safety and Environmental Protection and the Director of Field Activities, administers and balances all marine safety and environmental protection compliance programs, including direction of Coast Guard activities and oversight of third parties and industry programs; develops, publishes and maintains program policies for vessel compliance, interprets standards and regulations, and provides field guidance for execution and enforcement; administers the marine inspection program and foreign vessel boarding program for the enforcement of commercial vessel material and operational safety standards; and supervises the administration of licensing and documenting of merchant personnel, the issuance of certificates of registry to merchant marine staff officers, and the manning of U.S. vessels.

(B) The Chief, Office of Response (G-MOR), at Headquarters, under the Direction of the Assistant Commandant for Marine Safety and Environmental

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Protection and the Director of Field Activities, coordinates and integrates field planning, preparedness, and response operations for pollution incidents, natural disasters, marine accidents, terrorism, and other threats to public safety, the marine environment, or marine transportation and commerce; develops, publishes, and maintains program policies for preparedness and response, interprets laws and regulations, and provides field guidance for execution; provides guidance regarding emergency authorities of the Captain of the Port (COTP); and administers Office programs for ports and waterway management, bridging compliance and response efforts with an active presence in the marine environment.

(C) The Chief, Office of Investigations and Analyses (G-MOA), at Headquarters, under the direction of the Assistant Commandant for Marine Safety and Environmental Protection and the Director of Field Activities, reviews investigations of marine casualties; manages, develops policy for and evaluates domestic and international programs and processes associated with investigations of marine casualties and injuries; manages analysis of casualties and casualty data, civil penalties and other remedial programs (including proceedings to suspend or revoke Coast Guard licenses, documents or certificates held by mariners); and manages marine employer drug and alcohol testing programs.

(D) The Commanding Officer, Coast Guard National Maritime Center (NMC) under technical control of the Assistant Commandant for Marine Safety and Environmental Protection, administers operational and administrative control of the Marine Safety Center which conducts reviews and approvals of plans, calculations, and other materials concerning the design, construction, alterations, and repair of commercial vessels to determine conformance with the marine inspection laws, regulations, and implementing directions; administers operational and administrative control over the National Vessel Documentation Center which administers U.S. vessel identification and documentation; oversees and administers the U.S. tonnage measurement program which measures

U.S. naval vessels and oversees issuance of international and domestic tonnage certificates; administers merchant mariner licensing and seaman's documentation; and oversees the national pilotage program.

(iii) The Director of Resource Management (G-MR), under the general direction and supervision of the Assistant Commandant for Marine Safety and Environmental Protection, serves as Facility Manager for the marine safety programs; coordinates and integrates financial, informational, and human resources; plans, acquires, develops, and allocates resources for development and execution of the Coast Guard's marine safety programs; provides the focal point for all resource issues in support of the Standards and Operations Directorates; and oversees the development and management of the Coast Guard's direct user fee program.

(2) The Chief Counsel of the Coast Guard at Headquarters, under the general direction and supervision of the General Counsel, Department of Transportation and the Commandant, considers cases involving alleged violations of navigation and vessel inspection laws or regulations prescribed thereunder and published in this chapter or in 33 CFR chapter I, and reviews appeals to the Commandant from statutory monetary penalties assessed therefor. Upon completion of such a review, the Chief Counsel prepares a proposed action for the Commandant's consideration or, in appropriate cases, takes final action on behalf of, and as directed by, the Commandant.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989, as amended by CGD 95-072, 60 FR 50458, Sept. 29, 1995; CGD 95-072, 60 FR 54106, Oct. 19, 1995; CGD 96-041, 61 FR 50724, Sept. 27, 1996; CGD 97-057, 62 FR 51041, Sept. 30, 1997; USCG-1998-4442, 63 FR 52188, Sept. 30, 1998]

### § 1.01-15 Organization; districts.

(a) To assist the District Commander in carrying out the regulatory and enforcement aspects of marine safety in the Coast Guard Districts, there is assigned to each District Commander a staff officer designated as Chief, Marine Safety Division. The chain of military command is from the District Commander to each Officer in Charge,